

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

COLTON JAMES ROOD,

Plaintiff,

v.

ISAAC LOCKWOOD, et al.,

Defendants.

No. 2:20-cv-00271-WBS-CKD

ORDER

Plaintiff is a former county inmate currently in state prison proceeding pro se and in forma pauperis in this federal civil rights action filed pursuant to 42 U.S.C. § 1983. On November 4, 2020, plaintiff filed a request for change of venue which the court construes as a motion for disqualification of the undersigned.¹ ECF No. 20. Pursuant to 28 U.S.C. § 455, a magistrate judge shall disqualify herself in any proceeding in which her impartiality might reasonably be questioned or where she has a personal bias or prejudice concerning a party. In plaintiff's motion for disqualification, he speculates that the undersigned is biased against plaintiff based upon the rulings in his case. The court does not find disqualification is appropriate in this matter.

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¹ The filing date has been calculated using the prison mailbox rule. See Houston v. Lack, 487 U.S. 266 (1988).

1 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for disqualification (ECF
2 No. 20) is denied.

3 Dated: November 20, 2020



4 CAROLYN K. DELANEY
5 UNITED STATES MAGISTRATE JUDGE

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